

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

New Orleans, Louisiana

November 25, 1980

BOARD MEETING

Chairman J. C. "Sonny" Gilbert, presiding.

Members present:

Mr. J. C. Gilbert, Chairman  
Mr. Charles A. Riggs, Vice Chairman  
Mr. James C. Farrelly, Member  
Mr. Jesse M. Knowles, Member  
Mr. M. Bobby Orgeron, Member  
Mr. Donald F. Wille, Member

Members absent:

Mr. Wayne Ducote, Member

Mr. Joseph V. Colson, Secretary  
Mr. Gregory A. Weimar, Undersecretary

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Chairman Gilbert called the regular monthly Commission Meeting to order.

Chairman Gilbert said it was brought to his attention that the minutes of the last meeting were not received by some of the Board Members. The members receiving them did not have sufficient time to go over them and see that they were accurate. A new firm is doing the minutes and in the contract it reads that the minutes shall be in the hands of the Commission Members within ten days. The minutes of the October meeting were not approved.

Mr. Joe Herring said the Division of Administration went out on bid for a timber sale on Russell Sage Wildlife Management Area. Only one bid was received. It was from Spearsville Timber Company, Inc., in the amount of \$9,100.00 for two hundred acres on selected cutting basis. Mr. Herring recommended that this bid be rejected. Motion by Mr. Knowles and seconded by Mr. Riggs that the bid be rejected. Motion passed without objection.

Mr. Joe Herring said the Commission leases approximately one-half million acres from private land owners. Some of the leases are very small comprising of 5, 10, or maybe

40 acres and lease this to the Department for our wildlife management area system. Also, there are large lumber companies, oil companies, and other governmental agencies that lease their land to the Department free of charge and we have the hunting and fishing rights on these. This provides the hunting public each year a place to go hunting or fishing and, in some cases, picnicking or walking through the woods, and various things that our wildlife management areas are used for in outdoor recreation.

Mr. Herring then passed around to the Commission Members some sample certificates and plaques. He said that in the past, certificates were given at the annual Wildlife Federation Conventions to land owners in recognition for their contributions. He has seen them displayed in lumber company offices, etc., and they looked very nice framed.

Mr. Herring said he had more sample plaques with him and there were many, many more in trophy shops which made this a hard decision to make. The plaque the Commission chose was in the shape of the State of Louisiana and the wording on the certificate would be engraved on it.

Mr. Don Wille said the idea basically was to put what was on the certificate and place a button with a star on the spot where their individual land was located that was leased to the Department free of charge. It would be signed by the Chairman, Secretary and the Governor. He said it would be well worth keeping on their wall and they would be proud of leasing their land to the Department.

Chairman Gilbert said this was the idea of Commission Member, Don Wille, and the whole Commission feels this is an excellent idea. He said yesterday the Chairman was instructed to place in the proper committee this particular idea to come up with the exact plaque, wording, etc., and he then assigned the Committee Chairman, Don Wille, to come up with the plaque, wording, etc., at the next meeting.

Mr. Joe Herring's next item was a land acquisition project--Sicily Island tract. He explained that the Department has been negotiating with International Paper Company for 6,179.28 acres for some time. International Paper Company will sell to the Department 2,020.57 acres for 1.7 million dollars. This land was appraised by M.A.I. Appraiser for \$841.00 per acre. We are to buy 2,020.57 acres and they will contribute the additional property of 4,158.71 acres valued at 3.5 million dollars.

Mr. Herring said this transaction cannot be executed before December 15th but has to be completed before December 31st. He emphasized to the Commission that it was important that this transaction be completed by December 31st because it is a very good piece of property for a wildlife management area and a bargain for the Department. The value of the property is 5.2 million dollars and the Department would be getting it for 1.7 million dollars.

Mr. Herring pointed out that there is a gravel operation now going on and there will be stipulations in the Agreement to Purchase to cover the gravel operations. The Department will take an option for \$100.00 to buy from International Paper Company. The option is for ten years which will be until June 1, 1991, and if we purchase the property, the \$100.00 will be applied to the purchase price. If the option is exercised, the land can be purchased at the market value at the time of purchase. The appraiser will be chosen by the seller. International Paper Company will give us a lease on the 40 acre property during that ten-year period.

Mr. Don Wille said the people involved in negotiating this sale did a very good job and evidently worked many, many hours on this. Mr. Wille made a motion that the terms and conditions of the sale be accepted and referred it to the Chairman and Secretary for signing it.

Mr. Knowles said he wanted to point out something that had not been brought out concerning the value of the existing timber on the property. He said Mr. Herring had a timber crew on the property in 1978 and the estimated value of the timber was more than the \$70.00 per acre that we are paying for the land. He said if there was ever a Santa Claus this was it and we should buy it before Christmas; we should move fast on this purchase.

Mr. Knowles seconded the motion that the Department of Wildlife and Fisheries through the Secretary and the Chairman to move with all haste to complete the transaction. Motion carried without objection.

Mr. John Newsom, Leader of the Wildlife Research Unit, Louisiana State University, said during the past 19 years he has worked very closely with the professional staff of the Commission on matters pertaining to wildlife management. Last year he presented a proposal to the Board for a change in the way either sex deer seasons were run. He said this proposal was developed after much consultation with the Game Division.

Mr. Newsom said the reason for the proposal was because over the years the established either sex seasons were inadequate for harvesting deer on private lands and hunting clubs around the state. The proposal changed the method of harvesting antlerless or doe deer. It was accepted and carried out and worked in an entirely satisfactory manner. After the hunting season was over, he prepared a report and one element of the report was a recommendation at the end of it that the program be continued, monitored, and expanded this year.

Mr. Newsom continued by saying that the deer population in the Atchafalaya Basin in the last twenty-five years expanded greatly as a result of the actions of the Department of Wildlife and Fisheries as well as the actions of private land owners and club members in the Atchafalaya Basin. This has expanded to the point where additional methods are needed to harvest an appropriate number of deer.

Mr. Newsom proposed the same system of management that was approved last year also be expanded and approved for a sizeable segment of the Atchafalaya Basin. This differs from the proposal of last year in that you were dealing with an individual land owner and this year the area includes several clubs and several private land owners. He proposed the portion of the Atchafalaya Basin known as the Morganza Floodway from the control structure down to Highway 190 be included. He recommends one antlerless deer per 100 acres of land be taken from this entire area. Metal tags would be issued and carefully monitored and various types of biological information will be gathered from these animals and a report submitted at the end of the experimental season.

Mr. Knowles asked Mr. Newsom why he picked 100 acres as a basis for harvesting and how many acres were involved.

Mr. Newsom said the 100 acres was just a nominal figure which was conservative. He wasn't sure of the acreage but estimated it to be 200,000 acres.

Mr. Riggs said that since he has been on the Commission he had entertained the idea that does should be taken on a tag basis rather than on a daily basis. He pointed out that in Texas a particular area is allocated so many tags. He agreed with Mr. Newsom and would like the Commission to go along with his proposal.

Mr. Wille said there were two things to be considered.

He said the pamphlet has been printed and the seasons have been set. Also, the Emergency Procedures Act and the required environmental impact statement which would be time and money involved. He thought it was a good program but he felt it should be deferred until the next season because it was brought to the Commission at too late a date.

Chairman Gilbert said he talked with Mary Mitchell yesterday concerning the physical and economic study that must be completed. Mr. Newsome and Mary Mitchell said they can have this study within 48 hours. Mrs. Mitchell said if the Board declares it an emergency, it would not have to be listed in the Register for 30 days.

Mr. Wille asked Chairman Gilbert if this could be justified as an emergency.

Chairman Gilbert said it would be up to the Commission to decide and then asked Mr. Newsom if he considered this to be a good deer herd management.

Mr. Newsom said there was no question that is was good deer herd management and the sooner this particular proposal can be placed into effect, the better off we would be. It should be done in the entire Atchafalaya Basin. It is of particular importance this year because of the drought during this past summer which reduced natural food supplies.

Mr. Wille asked if this was an emergency situation. Mr. Newsom said he thought it was an emergency.

Chairman Gilbert asked Mr. Herring for his comments.

Mr. Herring said in concept and principle, he would endorse the plan. There was a good buildup of deer herds plus heavy doe population. However, because of the lateness of this request and because earlier requests in other areas had been turned down, he recommend the request be denied.

Chairman Gilbert asked Mr. Herring if he thought this was an emergency.

Mr. Herring stated the drought was statewide and not limited to this area. This was not anticipated at the time the seasons were set but if people would take advantage of the seasons as set, quite a number of deer could be harvested.

Mr. Knowles asked Mr. Herring if his primary concern was that other people would like to do the same thing and he did not want to see one area under this type management and the others not allowed to do the same thing.

Mr. Herring said that was right. When the initial study was instituted up on Beechgrove, there were others who requested to be also considered for such a study at the same time.

Mr. Knowles said he had not known Mr. Herring to be concerned about the politics of a biological question. He seems to be implying that the politics of this thing might be worse than not doing something.

Mr. Riggs said that since this encompasses an entire area of approximately 200,000 acres and from the standpoint of enforcement and management, this should be a more ideal situation to manage rather than individual cases where the boundary lines of hunting clubs, etc., were not known and could present a larger problem.

Mr. Herring said that was true. One large consolidated area would be easier to manage than a bunch of small areas.

Chairman Gilbert requested Mr. Newsom or anyone else interested in a move such as this to please get it in timely in the future.

Mr. Knowles stated that he had been one to take the advice of our biologists because they make the studies but it so happens that we have a biologist on each side which makes this difficult. Mr. Knowles felt the drought situation was serious and was concerned about food for the deer.

Mr. Knowles moved that the Commission adopt the plan as proposed by Mr. John D. Newsom. Mr. Charles Riggs seconded the motion.

Chairman Gilbert asked Mrs. Mary Mitchell if this had to be advertised in the Register for 30 days before an emergency decision would be effective.

Mrs. Mitchell said if the Commission declares it an emergency it becomes effective as of the date of the Commission Meeting.

Chairman Gilbert called for a roll call vote:

Mr. Don Wille--No; Mr. Jesse Knowles--Yes; Mr. Charles Riggs--Yes; Mr. Jim Farrelly--No; Mr. Bobby Orgeron--Yes. The presentation and recommendation of Mr. John D. Newsom was approved.

Mrs. Mary Mitchell said she had contacted the Legislative Fiscal Office regarding changing our regulations so that all lakes would be closed to commercial netting during drawdowns. They suggest that one set of fiscal and economic impact statements be done for this change and when there is an exception to this rule change, to do an individual impact statement. This would be a regulation change and would have to be advertised in the Louisiana Register. A resolution would not be presented until after the notice of intent has been published.

Mr. Don Wille moved that all lakes be closed on an individual basis as they are drawn down and if there is an exception to this rule than go with the emergency procedures.

Mr. Knowles seconded the motion. Motion passed.

Mrs. Mitchell said the appropriate impact statements would be prepared and would be published in the December Register.

Mr. Ray Montet said some time ago the Enforcement Division asked the Commission to come up with policies and procedures on handling confiscated nets and forfeitures of nets and equipment. A subcommittee was appointed to meet and study this problem and some policies and procedures were developed but needed some additional time before it was presented to the Commission.

Chairman Gilbert said Mr. Ducote was ill and could not come to the meeting but that he would meet with Ray and the others involved and would have recommendations at the next meeting.

Mr. Allan Ensminger asked the Commission to consider a request that the Department of Natural Resources had received for a tract on Rockefeller Refuge. This involves a 95½ acre piece of land adjoining an existing producing lease on Rockefeller, State Lease 4080. He recommended approval of this request by the State Mineral Board to put this on their docket for the January 1981 lease sale.

Mr. Don Wille made a motion that this be approved and was seconded by Mr. Riggs. Motion carried without objection.

Mr. Bob Smothers, Radio Communications for the Department of Wildlife and Fisheries, said about six months ago the State Police requested a State Police National Crime Computer be placed in the Wildlife and Fisheries headquarters. He said he contacted Larry Finn, State Police, and asked him what would be the possibility of getting a terminal. He pointed out that in the last legislative session a fund was provided for state agencies to have the national crime computer terminals in the office. The Department of Wildlife and Fisheries will be provided an NCIC computer with a print-out at our communications facility and will be funded through the Department of Public Safety. This would be operational by January 1st, 1981.

Mr. Joseph V. Colson, Secretary, said as he had mentioned before, we were going to sign an agreement with the Coast Guard concerning motorboat safety which was done recently. This is a renewal program and it has been updated. He stated that Al Prechac, in charge of motorboat safety, has gone throughout the state and had meetings, workshops, and approximately 558 of our people have attended. Also, we expect to have all vessels upgraded by this week. He pointed out that 19 of 20 vessels did not pass the Coast Guard requirements.

Secretary Colson said he contacted Governor Treen and Bobby Orgeron and the Ducks Unlimited people for the check presentation. He said he did not have the final word as yet, and rather than hold up the money, the check was mailed yesterday.

Secretary Colson said he had a handout on the proposed Lake Pontchartrain Marina and distributed the papers. He said Fred Dunham wanted the Commissioners to have the updated papers on the marina which could be referred to at a later date. He said there is a suit concerning this but really doesn't effect us in any way.

Secretary Colson said on this U. S. underwater obstruction, we have a program that is ongoing at the Washington level and it is not too effective. Our local Congressional delegation followed up on this underwater obstruction claim and they did have a bill passed last year. An office is maintained in the Washington area and Gulf States Marine Fisheries has requested that we try and have it moved to the New Orleans area as a matter of convenience.

Secretary Colson stated as far as the Small Business loans, that Greg Weimar, Undersecretary, has been working with

it. He said just recently we received word that the captains and crew members are qualified to make loans. The response has been very little and he understood that not too many have been able to qualify.

Secretary Colson said he had attended the Southeastern Association of Fish and Wildlife Agencies in Nashville, Tennessee. He is on the Alligator Committee and the Legislative Committee as Director of Wildlife and Fisheries.

Secretary Colson mentioned the copies of the Atchafalaya Basin recommendation he gave the Commissioners and said our people had worked with Governor Treen on it. He understood it had received high praise and at the Southeastern Conference they were complimentary as to the stand the state has taken in that regard.

Secretary Colson said he wanted to mention the gill nets. He had given the Commissioners a copy of an article by Mike Cook and said he had other information, if needed, concerning fishing problems. He said we are being sued by one arrest made recently and the courts will not entertain the idea of going through with the process of charging him.

Secretary Colson said we will have a report on the oil spill. The Enforcement people were right on the spot at the very beginning and he flew down with the Chief of Enforcement last Friday and worked with the Department of Public Safety and other agencies. He said it would be a year before our scientists can determine if there are any adverse conditions as far as the resource is concerned. Secretary Colson said he would keep the members posted.

Mr. Bob Ancelet, Seafood Division, made a detailed report of a recent oil spill originating from the ruptured hull of the tanker, "Georgia," at anchor near the east bank of the river immediately south of Pilottown. Mr. Ancelet felt the clean-up crews were doing an excellent job of containing and picking up the oil.

Secretary Colson said that people have remarked that the green folder on hunting regulations was too clumsy and he had been thinking that possibly it could be put in book form. He is working with department personnel to determine the cost and other factors. He asked the Board's opinion.

Chairman Gilbert said it was an excellent idea and if the cost is not prohibitive, he felt the hunters and fishermen

of this state would find it helpful.

Mr. Charles Riggs commented that he thought it was an excellent idea, also. It was hard to find something in a little pamphlet.

Mr. Don Wille commented that he thought the cost of putting it in book form should be looked into.

Secretary Colson said the cost factor could make a big difference and he was going to compare with other states and get prices on it. He just wanted to pass it by the Commission and get their opinion.

Secretary Colson stated that he had distributed to the Commission his long range plans for the Department of Wildlife and Fisheries. He said he would receive any remarks they wished to make concerning it. (The plan was appended to the official minutes.)

Mr. Jesse Knowles expressed his appreciation to Secretary Colson and members of his staff for preparing a definitive comprehensive plan for this year and the coming year.

Secretary Colson thanked Mr. Knowles and expressed appreciation to the staff and, particularly, McFadden Duffy for an excellent job. He said he was not sensitive and was looking forward to any comments. Just anything the Commission cared to elaborate on, and to telephone him at any time, or discuss it at future meetings.

Secretary Colson said he spoke to Ken Black concerning the addition of two issues of the Conservationist. He said Mr. Black was in favor of it and we are now considering trying to get the whole six issues paid for in a like manner from the Rockefeller Foundation. He said he thought he would have some information for the Commission at the next meeting.

Mr. Allan Ensminger referred back to the oil spill. He showed on a map the location of Pass-a-Loutre Waterfowl Management Area, a 66,000 acre tract of land owned by the Commission since the 1920's, in relation to the oil spill. Our ownership starts right around the head of Southwest Pass and extends eastward through South Pass and up above Pass-a-Loutre. The ship is anchored right above the head of the passes and the oil is all going down Southwest Pass. He pointed out that the containment boom in Josie's Bayou will

prevent that slick from backing up into East Bay which is a very important waterfowl hunting area for our tract of land and, also, there is a large concentration of blue and snow geese down on Cowhorn Reef.

Chairman Gilbert said we have on Commission Member who has received an honor that brings prestige to him and to the State of Louisiana. Mr. Jim Farrelly was recently elected Chairman of the Shrimp Advisory Committee of the Gulf of Mexico Fishery Management Council.

Chairman Gilbert said a suit has been filed against the Department by Randolph Labauve in the amount of \$70,200.00 and against the two agents who made the arrest. He said Mike Cook had an article in his Sunday column in Baton Rouge explaining it in detail and each member had a copy.

Mr. Peter Duffy, Attorney, stated very often we have the insurance coverage on the lawful arrest type cases. He said we also receive assistance from the Attorney General's office on civil rights causes of action, which this may or may not be, we don't know.

Chairman Gilbert said at the Southeastern Association Meeting in Nashville, Tennessee, our former Chief of Enforcement, Vincent Purpera, was awarded a plaque recognizing him as the outstanding officer in Louisiana.

Chairman Gilbert asked the status of the employment of a surveyor.

Mrs. Mary Mitchell said as it now stands, the contract is in the Budget Office. It has the approval of Civil Service and tentative approval of Contractual Review. The Budget Committee will meet December 1st and this is on the agenda. After it is approved by the Budget Office it will take about three days to get approval on the contract.

Chairman Gilbert said Secretary Colson showed him a new contract with a new firm to do the minutes. He said the contract stipulates that the minutes be submitted in ten days. He asked that immediately or as soon as possible thereafter that each Commission Member receive his copy of the minutes. He pointed out that it has been taking 25 to 30 days before the Commission Members received their minutes.

Mrs. Simone Bertucci, SL Transcribing Brokerage, stated she has done the minutes for the last three meetings

and the only hold-up or problem that she had was in receiving the resolutions. As the resolutions are done now, they are placed in order in the minutes as they are approved. She said if she could receive the resolutions sooner or place the resolutions as an appendix at the end of the transcript, she could get it out faster.

Chairman Gilbert asked Secretary Colson to expedite getting copies of the resolutions into Mrs. Bertucci's hands, if that has been the hang-up but it was entirely too long after the meeting to be receiving the minutes.

Chairman Gilbert stated there was a problem in an area in eastern Louisiana on a property line between Louisiana and Mississippi. It is a very hilly area and no line designation as to exactly where Louisiana ended and Mississippi began. He contacted Secretary Colson regarding this and he had Ray Montet send four agents to meet with four agents from Mississippi. Chairman Gilbert attended the meeting, also. Immediately following the meeting, wooden signs were painted and given to the game wardens in that area to be placed on the appropriate line between Louisiana and Mississippi.

Chairman Gilbert announced the December meeting will be on December 15 and 16, in Baton Rouge, Sub-basement of the Capitol, Committee Room 4. On the 15th, the meeting will be at 2:00 P.M. and on the 16th, the meeting will be at 1:00 P.M. The Legislative Committee studying recodification is meeting at 10:00 A.M., December 16, and asked the Commission for a representative and that was the reason for the time change.

January 26 and 27, 1981, were the dates announced for the January meeting by Chairman Gilbert.

Chairman Gilbert asked Joe Herring, Kenneth Smith, Allan Ensminger, Harry Schafer, Ray Montet and Bob Smothers to meet with the Commission immediately following this meeting.

Meeting adjourned.

Minutes transcribed  
by Jan Sommers